

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE SATANIC TEMPLE, INC.,

Plaintiff,

-v-

NEWSWEEK MAGAZINE LLC,

Defendant.

CIVIL ACTION NO. 22 Civ. 1343 (MKV) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On November 28, 2023, the Honorable Mary Kay Vyskocil denied Plaintiff's request for a third extension of time to complete fact discovery and referred to the undersigned "the specific discovery disputes detailed in the parties' letters at ECF Nos. 65, 67, and 68" (the "First Motion") (ECF No. 69; see ECF No. 70). The same day, the Court scheduled a telephone conference for December 13, 2023 (the "Conference") to discuss the First Motion. (ECF No. 71). On November 30, 2023, Plaintiff filed another letter-motion seeking to reopen the deposition of non-party Julia Duin (ECF No. 77 (the "Second Motion")), which Defendant and Ms. Duin opposed (ECF No. 82). On December 11, 2023, Plaintiff filed another letter-motion challenging redactions to certain documents Ms. Duin produced (ECF No. 83 (the "Third Motion")), which Defendant and Ms. Duin opposed (ECF No. 85).

As discussed at today's Conference, the Court orders as follows:

1. The First Motion is GRANTED IN PART and DENIED IN PART, as follows:

a. Plaintiff's request to reopen Ms. Duin's deposition is DENIED.

b. Plaintiff's request to compel Ms. Duin to produce an email is DENIED AS MOOT, as the email has already been produced.

c. Plaintiff's request to depose Scott Malphas is DENIED AS MOOT, as Plaintiff withdrew the request at the Conference.

d. Plaintiff's request for further discovery related to income generated from the Article is GRANTED IN PART, to the extent that the parties are directed to meet and confer regarding Plaintiff's request for "Parse.ly" data and, by **December 22, 2023**, file a joint status letter on the docket.

2. The Second Motion is DENIED.

3. The Third Motion is GRANTED IN PART, to the extent that the Court will conduct an in camera review of the 5–20 pages of documents at issue (the "Duin Documents") and determine whether the redactions applied are proper. By **December 15, 2023**, Defendant shall provide the Court with the Duin Documents—in both redacted and unredacted form—through the Court's file-share system, instructions for which the Court will email to Defendant's counsel.

4. The parties shall order a transcript of the Conference and file it on the docket. By **December 18, 2023**, the parties shall complete the annexed transcript request form and submit one request to etranscripts@nysd.uscourts.gov, selecting the "7 Day" option for service.

Dated: New York, New York
December 13, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge

Request for the production of a transcript from an electronic recording

Send one request per completed form to:

etranscripts@nysd.uscourts.gov

Transcripts from an electronic record are generated by a Court Approved Transcriber, NOT the Southern District Court Reporters. The transcript will be delivered to your office and you will be invoiced directly by the transcriber. Submission of this form constitutes an agreement to pay for the transcription services described herein. This form should not be submitted for the purpose of obtaining a price estimate.

NOTE: CJA requests require prior approval by submitting an Auth-24 document in the CJA eVoucher System. If granted, the attorney then submits the etranscripts order form (indicate CJA Request). Upon notification from the transcriber, the attorney will create a CJA 24 Voucher in the eVoucher system.

Today's Date: _____

Case Caption		
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